IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Criminal Writ Petition No. 1007 of 2004 (M/B)

1. Dheeraj Kumar S/o Sri Om Prakash,
   R/o Subhashnagar, P.S. Gangnaher,
   Roorkee, District Haridwar.
2. Mohakam Singh S/o Kala Singh
   R/o Village Jataul, P.S. Devband,
   District Saharanpur, U.P.
3. Shiv Kumar S/o Trilok Chandra
   R/o Mundet, P.S. Manglour,
   District Haridwar.

…… Petitioners

Versus

State of Uttaranchal & others. ……. Respondents

Mr. Parikshit Saini, learned counsel on behalf of the petitioners.
Mr. A. Rab, learned Addl. Government Advocate for the State.

Hon. V.S. Sirpurkar, C.J.

Hon. Irshad Hussain, J.

1. Heard Mr. Parikshit Saini, learned counsel for the petitioners and Mr. A. Rab, learned Addl. Government Advocate, who accepted the notice on behalf of respondents No. 1 & 2.

2. The learned public prosecutor makes a statement that the Investigating Agency would not prefer to arrest the accused persons here in view of the fact that this matter amounts to a civil dispute.

3. In that view, the writ petition is disposed of, but, with a direction that, in case, the Investigating Agency decides to arrest the petitioners, then, 8 days prior notice shall be given to the petitioners.

(Irshad Hussain, J.)
13.10.2004

(V.S. Sirpurkar, C.J.)
13.10.2004

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